

**Docket No.:** T08-0166  
3<sup>rd</sup> Supp.  
**Bench Date:** 07/09/2014  
**Deadline:** N/A

**MEMORANDUM**

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**TO:** The Commission

**FROM:** Timothy E. Duggan, Administrative Law Judge

**DATE:** June 19, 2014

**SUBJECT:** Illinois Central Railroad Company, the City of Lincoln, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the Logan Street highway-rail grade crossing of the Illinois Central Railroad Company's track in Lincoln, Logan County, Illinois, designated as crossing AAR/DOT #292 766L, railroad milepost 44.10-B.

**RECOMMENDATION:** Enter Third Supplemental Order authorizing additional \$5,360.06 GCPF assistance.

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On August 5, 2013, the Illinois Central Railroad Company filed a Petition for an order authorizing GCPF contribution amounts in addition to that previously authorized in this docket. This is the Third Supplemental Petition. Two prior Supplemental Orders granted extensions of time to complete the project.

The original Order was entered on December 17, 2008. The Order required the Illinois Central Railroad Company to install new automatic flashing light signals and gates controlled by constant warning time circuitry at the Logan Street highway-rail crossing in Lincoln, Illinois. The Order allocated cost percentages among the parties, including GCPF assistance, which was capped at \$136,357.00. The Order went on to say any installation costs above the total estimated cost of \$160,420.00, would be eligible for GCPF assistance in the same percentages subject to approval by the Commission.

Hearing was held on January 15, 2014. IC previously submitted final bills for the project in the amount of \$137,259.74. It was paid \$136,357.00 as reimbursement from the original GCPF obligation. These bills covered the work required by the original Order.

Subsequently, IC received notification from the FHWA and IDOT that IC would be allowed to increase their additive rates for work performed on or after January 1, 2010. On April 10, 2012, the Company submitted an updated final bill to collect money authorized under the new additive rates. The money the Company seeks in this matter is \$5,360.06 above the original GCPF obligation, and it requests that the Commission increase the amount of GCPF assistance as allowed under FHWA and IDOT guidelines.

Staff, IDOT and the City each have no objection. A Proposed Order was issued to all Parties and Staff. No exceptions were filed.

I recommend entry of the attached Order approving additional GCPF assistance.